



Agenda Date: 7/1/09
Agenda Item: VIIA

STATE OF NEW JERSEY
Board of Public Utilities
Two Gateway Center
Newark, NJ 07102
www.nj.gov/bpu/

CUSTOMER ASSISTANCE

RAFAEL E. JAQUEZ,
Petitioner

v.

TELEDIAS COMMUNICATIONS,
Respondent

) ORDER ADOPTING INITIAL DECISION
) SETTLEMENT
)
)
)
)

) BPU DOCKET NO. TC08100961U
) OAL DOCKET NO. PUC 01263-09

(SERVICE LIST ATTACHED)

BY THE BOARD:

By petition filed with the Board of Public Utilities ("Board" or "BPU") on October 31, 2008, Rafael E. Jaquez ("Petitioner") requested a formal hearing regarding charges by TeleDias Communications ("Respondent") for telecommunication services.

After the filing of Respondent's answer, the Board transmitted this matter to the Office of Administrative Law ("OAL") for hearing and initial disposition as a contested case pursuant to N.J.S.A. 52:14B-1 et seq. and N.J.S.A. 52:14F-1 et seq. This matter was assigned to Administrative Law Judge ("ALJ") Richard McGill.

While this matter was pending at the OAL, the parties engaged in negotiations and entered into and signed a settlement that was submitted to the ALJ. By Initial Decision issued on May 27, 2009, and submitted to the Board on May 29, 2009, to which the settlement was attached, ALJ McGill found that the settlement was voluntary, that its terms fully disposed of all issues in controversy and that it satisfied the requirements of N.J.A.C. 1:1-19.1. In the settlement, the parties have agreed that the Respondent will credit the Petitioner's account, in full, in the amount of \$668.56 and close the account. The parties further agreed to release each other for any claims related to this matter.

After review of the Initial Decision and the settlement of the parties, the Board HEREBY FINDS that, by the terms of the settlement, the parties have resolved all outstanding contested issues in this matter. Accordingly, the Board HEREBY ADOPTS the Initial Decision and the settlement executed by the parties in their entirety as if fully set forth herein.

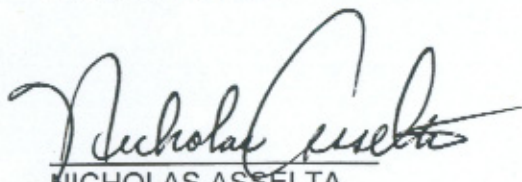
DATED: 7/1/09

BOARD OF PUBLIC UTILITIES
BY:


JEANNE M. FOX
PRESIDENT


FREDERICK F. BUTLER
COMMISSIONER


JOSEPH L. FIORDALISO
COMMISSIONER

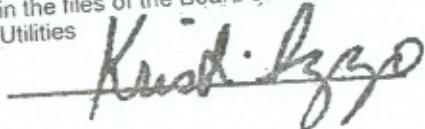

NICHOLAS ASSELTA
COMMISSIONER


ELIZABETH RANDALL
COMMISSIONER

ATTEST:


KRISTI IZZO
SECRETARY

I HEREBY CERTIFY that the within
document is a true copy of the original
in the files of the Board of Public
Utilities



RAFAEL E. JAQUEZ
. v.
TELEDIAS COMMUNICATIONS

BPU DOCKET NO. TC08100961U
OAL DOCKET NO. PUC 01263-09

SERVICE LIST

Rafael E. Jaquez
049 Fairlawn Parkway
Fair Lawn, New Jersey 07410

Carmen Asorey, Vice-President
TeleDias Communications
5605 Riggins Court – Suite 265
Reno, Nevada 89502

Eric Hartsfield, Director
Julie Ford-Williams
Division of Customer Assistance
Board of Public Utilities
Two Gateway Center
Newark, New Jersey 07102

Jessica L. Campbell, DAG
Division of Law
124 Halsey Street
P.O. Box 45029
Newark, New Jersey 07102

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CMS
BESLOW
RDA
CAMPBELL, J
FORD, Williams
(2)



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

INITIAL DECISION

SETTLEMENT

OAL DKT. NO. PUC 01263-09

BPU DKT. NO. TC08100961U

2009 MAY 29 PM 4:21
OFFICE OF ADMINISTRATIVE LAW
TREASURY BUILDING
PO BOX 280
TRENTON NJ 08646-0280

RAFAEL E. JAQUEZ,

Petitioner,

v.

TELEDIAS COMMUNICATIONS,

Respondent.

Rafael E. Jaquez, pro se

Carmen Asorey, Vice President, appearing pursuant to

N.J.A.C. 1:1-5.4(a)5, for respondent

Record Closed: April 30, 2009

Decided: May 27, 2009

BEFORE RICHARD MCGILL, ALJ:

This matter involves a bill dispute between Raphael E. Jaquez and TeleDias Communications. The matter was transmitted to the Office of Administrative Law on January 15, 2009, for determination as a contested case.

Prior to hearing, the parties agreed to an amicable resolution of the matter and submitted a signed letter settlement. Having reviewed the record and the settlement terms, I **FIND** as follows:

1. The parties have voluntarily agreed to the settlement as evidenced by their signatures or the signatures of their representatives.
2. The settlement fully disposes of all issues in controversy and is consistent with the law.

Therefore, I **CONCLUDE** that the agreement meets the requirements of N.J.A.C. 1:1-19.1 and that the settlement should be approved. Accordingly, it is **ORDERED** that the parties comply with the terms of the settlement, and it is **FURTHER ORDERED** that proceedings in this matter be concluded.

I hereby **FILE** my initial decision with the **BOARD OF PUBLIC UTILITIES** for consideration.

This recommended decision may be adopted, modified or rejected by the **BOARD OF PUBLIC UTILITIES**, which by law is authorized to make a final decision in this matter. If the Board of Public Utilities does not adopt, modify or reject this decision within forty-five days and unless such time limit is otherwise extended, this recommended decision shall become a final decision in accordance with N.J.S.A. 52:14B-10.

May 27, 2009

DATE

Date Received at Agency:

5/29/09



RICHARD MCGILL, ALJ



Mailed to Parties:

DATE

cml

OFFICE OF ADMINISTRATIVE LAW



TELEDIAS
COMMUNICATIONS

March 17, 2009

CERTIFIED MAIL, RETURN RECEIPT

Mr. Rafael E. Jaquez
049 Fairlawn Parkway
Fair Lawn, NJ 07410

Re: Rafael E. Jaquez vs. TeleDias Communications, Inc.
Docket No.: TC081000961U

Dear Mr. Jaquez:

This letter proposes to settle your complaint listed above without further time and effort on your or our parts.

In return for (1) your signature made in the space provided below and (2) your writing the New Jersey BPU withdrawing your complaint based on settlement with TeleDias, we will credit your account in full and close it out. Once we received a copy of this letter signed by you, we will credit your account in the amount of \$668.56 and close the account.

Based on the foregoing, you release TeleDias and TeleDias releases you of any and all liability for or in connection with the subject matter of Docket No. TC081000961U.

This offer of settlement and settling this matter in accordance with the terms expressed herein, may not be construed to detract from, and in no way detracts from, the findings made by the BPU that TeleDias conduct was in compliance with all applicable regulations.

If you have any further questions, or need any additional information, please contact us at your convenience.

Sincerely,

Carmen Asorey
Vice President
TeleDias Communications, Inc.

SEEN AND AGREED
Rafael E. Jaquez

Signature

Date

03/29/2009



April 30, 2009

VIA FACSIMILE

Office of Administrative Law
State of New Jersey
33 Washington Street
Newark, NJ 07102-3011

Re: Rafael E. Jaquez vs. TeleDias Communications, Inc.
OAL Docket No.: PUCC 01263-2009N
Agency Ref No.: TC08100961U

Att: Hon. Richard McGill, Judge;

The following document is a copy of the signed Settlement Agreement as signed by both TeleDias Communications, Inc. and Mr. Rafael E. Jaquez.

Please be advised, TeleDias has settled this case with Mr. Jaquez and we would like to formally request this case be withdrawn from the Docket. The New Jersey Board of Public Utilities has closed this case as well per Mr. Anthony Visco.

If you have any further questions, or need any additional information, you may contact me please contact us at your convenience.

Sincerely,

A handwritten signature in dark ink, appearing to read "C. Asorey", is written over the printed name "Carmen Asorey".

Carmen Asorey

Vice President

TeleDias Communications, Inc.



March 17, 2009

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Mr. Rafael E. Jaquez
049 Fairlawn Parkway
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This offer of settlement and settling this matter in accordance with the terms expressed herein, may not be construed to detract from, and in no way detracts from, the findings made by the BPU that TeleDias conduct was in compliance with all applicable regulations.

If you have any further questions, or need any additional information, please contact us at your convenience.

Sincerely,

A handwritten signature in dark ink, appearing to read "C. Asorey", written over a horizontal line.

Carmen Asorey
Vice President
TeleDias Communications, Inc.

SEEN AND AGREED

Rafael E. Jaquez

A handwritten signature in dark ink, appearing to read "R. Jaquez", written over a horizontal line.

Signature

Date

03/29/2009

COPY



COPY

State of New Jersey
OFFICE OF ADMINISTRATIVE LAW
33 Washington Street
Newark, New Jersey 07102
(973) 648-6008
(973-648-6058)

Robert J. Giordano, ALJ &
Manager of Organizational Development

NORTH

Date MAY 28 2009

Re: Initial Decisions for Receipt

We are hereby forwarding to you the following decisions from the office of Administrative Law. **Receipt is acknowledged as of the next business day of the date indicated below.** Should a listed decision not be included in this batch, please call 973-648-6008.

OAL Docket No. PUC

Case Name

1263-09

RAFAEL E. JARUEZ

Board of Public Utilities
Two Gateway Center
Newark, New Jersey 07102

Date:

5/29/09

Lloyd Long Jr.
Board of Public Utilities